

NITED STATES DISTRICT COURT  
(DISTRICT OF MASSACHUSETTS)

CIVIL ACTION NO. 05-11697-GAO

MARILYN KUNELIUS,  
PLAINTIFF,

V.

TOWN OF STOW separately, A  
PARTNERSHIP OF UNKNOWN NAME  
BETWEEN TOWN OF STOW and THE  
TRUST FOR PUBLIC LAND, THE  
TRUST FOR PUBLIC LAND separately  
and CRAIG A. MACDONNELL, in his  
individual capacity,

DEFENDANTS.

**PLAINTIFF'S NOTICE TO THE COURT**

NOW COMES the Plaintiff's with this Notice the Court concerning her Memorandum in Support of her various Motions for Summary Judgment with 92 Exhibits. It has come the Plaintiff's attention that 18 Exhibits to her Memorandum were incorrectly referenced in the Memorandum. The correct sequence of those Exhibits, including page reference and document description is listed below. In addition to the incorrect references to Exhibits in the Memorandum, the Plaintiff notes that on page 8 of her Memorandum, she incorrectly refers to MacDonnell's deposition as "Exh. K, TPL 30(b)(6) deposition, Vol. I". This reference should be read as "Exh. A, MacDonnell deposition, Vol. I."

<u>Page #</u>	<u>Document description</u>	<u>Exhibit # referenced in Memorandum</u>	<u>Exhibit # in Plaintiff's Exhibits List to the Memorandum</u>
<b>p. 29</b>			
	KUN421	NN	<b>LL</b>
	KUN422	NN	<b>LL</b>
	TPL-KUN2525	OO	<b>MM</b>
	KUN420	PP	<b>NN</b>
	TPL-KUN02666	QQ	<b>OO</b>
<b>p. 30</b>			
	TPL-KUN03407	RR	<b>PP</b>
	TPL-KUN03428	SS	<b>QQ</b>
<b>p. 31</b>			
	Perry deposition	TT	<b>RR</b>
<b>p. 35</b>			
	Furman deposition	LL	<b>JJ</b>
	TPL-KUN1681	JJ	<b>HH</b>
<b>p. 36</b>			
	Norris deposition	UU	<b>SS</b>
<b>p. 39</b>			
	TPL-KUN02765	VV	<b>TT</b>
	TPL-KUN01710	WW	<b>UU</b>
<b>p. 40</b>			
	TPL-KUN03682	XX	<b>VV</b>
	TPL-KUN03668	YY	<b>WW</b>
	TPL 30(b)(6) deposition (Stookey), Vol. II	DD	<b>BB</b>
	Letter of MacDonnell to DHCD re: \$70 million in lines of credits	BB	<b>Z</b>
<b>p. 41</b>			
	TPL-KUN01124-37	ZZ	<b>M</b>
	TPL-KUN01129	ZZ	<b>M</b>
	TPL-KUN01133	ZZ	<b>M</b>
<b>p. 42</b>			
	TPL-KUN01135	ZZ	<b>M</b>

Respectfully submitted,

Marilyn Kunelius,

By her Attorney,

Dated: November 15, 2007 By:

*/s/ Michael C. McLaughlin*

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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on November 15, 2007.

*/s/ Michael C. McLaughlin*  
Michael C. McLaughlin